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Attorneys for Defendants Broad Auto Transportation  
LLC and Sergio Castro

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

AMAL SWAN,

Case No. 3:19-cv-00229

Plaintiff,

v.

**DEFENDANTS' NOTICE OF  
REMOVAL**

BROAD AUTO TRANSPORTATION LLC, a  
Florida Limited Liability Corporation and  
SERGIO CASTRO,

**JURY TRIAL DEMANDED**

Defendants.

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1441, § 1446, and § 1332(a), Defendants Broad Auto Transportation LLC and Sergio Castro ("Defendants") remove this action from the Circuit Court of the State of Oregon for the County of Multnomah to the United States District Court for the District of Oregon, Portland Division.

### **RELEVANT FACTS**

On January 15, 2019, Plaintiff served Defendants with a Summons and Complaint captioned *Amal Swan v. Broad Auto Transportation LLC, a Florida Limited Liability Corporation and Sergio Castro* Case No. 19CV01844, filed in the Circuit Court for the State of Oregon for the County of Multnomah. *See* Declaration of Sarah E. Tuthill-Kveton (“Tuthill-Kveton Decl.”), ¶2. Copies of the Summons and Complaint are attached hereto as Exhibits A and B, respectively. *Id.* These documents, taken together, constitute all process, pleadings, and orders served on Defendants in that action up to the present date. *Id.*

### **GROUND FOR REMOVAL**

Pursuant to 28 U.S.C. § 1441(a), a defendant may remove an action filed in the state court to the United States District Court if the district court has diversity jurisdiction over the action. This action is one over which the district court has diversity jurisdiction under 28 U.S.C. § 1332(a)(1). The grounds for removal of this action are:

1. Plaintiff’s principle claims for relief against Defendants exceed \$75,000. Plaintiff seeks damages of \$166,770.11. Complaint ¶10.
2. Plaintiff and Defendants are residents of different states. Plaintiff resides in Oregon and Defendant is a Florida foreign business corporation. *See* Complaint ¶1; *see also* Defendants’ Corporate Disclosure Statement (being filed concurrently). Defendant is headquartered with its principal place of business in Florida. Tuthill-Kveton Decl., ¶3. Therefore, the United States District Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332(a)(1).
3. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b), as less than 30 days have elapsed since copies of the Summons and Complaint were served on Defendants. A copy of the Affidavit of Service provided by Plaintiff is attached hereto as Exhibit C. Tuthill-

Kveton Decl., ¶2.


4. No further proceedings have occurred in the Circuit Court of the State of Oregon for the County of Multnomah as of the date of this removal other than outlined herein.

5. Counsel for Defendants will file a copy of this Notice of Removal with the Clerk of the Circuit Court of the State of Oregon for the County of Multnomah and will give notice of the same to Plaintiff as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendants pray that this action be removed from the Circuit Court for the State of Oregon for the County of Multnomah and placed on the docket of the United States District Court for the District of Oregon in the Portland Division.

DATED this 14<sup>th</sup> day of February, 2019.

**CHOCK BARHOUM LLP**



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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

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AMAL SWAN,

Case No. 3:19-cv-00229

Plaintiff,

v.

**CERTIFICATE OF SERVICE**

BROAD AUTO TRANSPORTATION LLC, a  
Florida Limited Liability Corporation and  
SERGIO CASTRO,

Defendants.

I hereby certify that a true copy of the foregoing **DEFENDANTS' NOTICE OF  
REMOVAL** was served on:

Hala J. Gores  
Attorney at Law  
The Gores Building  
1332 SW Custer Drive  
Portland, OR 97219  
*Attorney for Plaintiff*

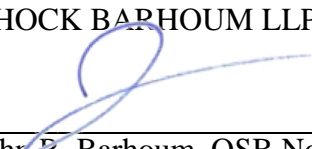
- ☐ By hand delivery
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system as identified on the Notice  
of Electronic Filing (NEF)
- ☐ By facsimile transmission  
Fax #: (503) 295-2651

☐ By e-mail:  
hala@goreslaw.com

\*With first-class postage prepaid and deposited in Portland, Oregon.

DATED this 14th day of February, 2019.

CHOCK BARHOUM LLP



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